

Chevy Chase Village Board of Managers

February 13, 2012

Note: These draft minutes reflect the Board's actions only, and do not include testimony given by members of the Board of Managers, Legal Counsel, Village Staff or others in attendance. An audio recording of this meeting is available on the Village website at www.chevychasevillagemd.gov.

Draft

BOARD OF MANAGERS

Patricia S. Baptiste, Chair	Present
Peter T. Kilborn, Vice Chair	Present
Allison W. Shuren, Secretary	Present
Richard Ruda, Assistant Secretary	Present
Lawrence C. Heilman, Treasurer	Present
Gary Crockett, Assistant Treasurer	Present
David L. Winstead, Board Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
John Fitzgerald, Police Chief	Present
Michael W. Younes, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting and Code Enforcement Coordinator	Present

1 **LEGAL COUNSEL**

2 David R. Podolsky, Village Counsel

Present

3
4 Ms. Patricia S. Baptiste, Chair of the Chevy Chase Village Board of Managers, called the
5 meeting to order at 7:51 p.m.

6
7 **Approval of Minutes from the Board's Previous Regular Meeting**

8 Action to approve the minutes of the Board's regular meeting held on Monday, January 9, 2012.

9
10 *Mr. Kilborn moved to approve the minutes from the Board of Managers' regular meeting held on*
11 *January 9, 2012.* Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr.
12 Heilman, Mr. Crockett, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion
13 passed.

14
15 **Appeals**

16 **A-6082 (a) Variance & (b) Special Permit Requests: Ms. Carissa S. Marino & Mr.**

17 **Andrew C. Marino, 11 Primrose Street.** (a) Relocate and construct front steps that
18 extend a maximum of twelve feet, eight inches (12'-8") forward of the twenty-five (25)
19 foot front building restriction line; and (b) relocate and install a lamp post along a
20 relocated front walkway in the Primrose Street public right-of-way. The proposed new
21 lamp post would be located four-feet, nine and one-half inches (4'-9 ½") from the public
22 sidewalk.

1 *Mr. Kilborn moved to direct staff to draft a decision approving the request to (a) relocate and*
2 *construct front steps that extend a maximum of twelve feet, eight inches (12'-8") forward of the*
3 *twenty-five (25) foot front building restriction line. Ms. Shuren seconded the motion. Ms.*
4 *Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead*
5 *voted in favor of the motion. The motion passed.*

6
7 *Mr. Crockett moved to direct staff to draft a decision approving the request to (b)*
8 *relocate and install a lamp post along a relocated front walkway (in the Primrose Street*
9 *public right-of-way). The proposed new lamp post would be located four-feet, nine and*
10 *one-half inches (4'-9 ½") from the public sidewalk. Ms. Shuren seconded the motion.*
11 *Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr.*
12 *Winstead voted in favor of the motion. The motion passed.*

13
14 **A-6083 Retroactive Special Permit Request: Ms. Susanne S. Demmerle & Mr. Stefan**
15 **Demmerle, 5501 Kirkside Drive.** Maintain an external air conditioning unit that was installed
16 in the south (front) Western Avenue yard and which encroaches three feet, one inch (3'-1")
17 forward of the front building restriction line.

18
19 *The Board unanimously decided to defer action on A-6083 until the March Regular Meeting of*
20 *the Board pending additional information from staff and Counsel regarding previous similar*
21 *cases.*

1 **Treasurer's Report**

2 The Treasurer's report was distributed to the Board prior to the meeting. No action was taken by
3 the Board.

4
5 **Police Report**

6 The Police Report was circulated prior to the meeting. No action was taken by the Board.

7
8 **Legal Counsel Report**

9 The Legal Counsel Report was distributed prior to the meeting. No action was taken by the
10 Board.

11
12 **Committee & Commission Reports**

13 **Chevy Chase Open Space Committee**

14 Committee Chair Meredith Wellington presented a report on the Committee's recommendations
15 for the Chevy Chase Open Space Park.

16
17 *The Board unanimously agreed that its sense was that despite ongoing efforts for a larger*
18 *comprehensive development of the park, interim measures to ensure public safety should be*
19 *undertaken immediately, including, but not limited to: removal and elimination of remaining*
20 *tree roots and stumps, installation of mulch pathways, lighting, and the installation of shrubs*
21 *and other natural elements to serve as buffering.*

22
23 **Board Appointments to the Elections and Ethics Committees**

1 Action on both appointments was deferred to allow an additional notice period to interested
2 residents.

3
4 **Traffic Committee**

5 The Traffic Committee report was distributed to the Board prior to the meeting.
6

7 *The Board directed the Village Manager to further research the history of pending Resolution*
8 *Nos. 02-01-10 and 10-01-10.*
9

10 **Old Business & Status Reports**

11 **Public Hearing on Resolution No. 01-01-12:** An Ordinance to amend Chapter 17 of the
12 Village Code to expand the circumstances in which a tree may be removed, destroyed or its
13 health substantially impaired upon authorization of the Village Manager and to establish an
14 alternate procedure for obtaining approval from the Board of Managers to remove, destroy or
15 substantially impair the health of a tree on private property protected by Chapter 17 of the
16 Village Code
17

18 *No comments were received for the record in advance of the meeting nor were any comments*
19 *received from the floor. The Board will continue to take comments in advance of its scheduled*
20 *adoption of this Ordinance at the Board's regular meeting on March 12, 2012.*
21

22 **Status Reports on:**

- 23
 - **Streetlight Upgrade Project**

1 The report on the recommendations for the Streetlight Upgrade Project was distributed to the
2 Board prior to the meeting. Staff requested Board approval for the first phase of the project as
3 outlined in the report for an approximate cost of \$26,410.

4
5 *Mr. Wintead moved to approve the staff's recommendations for Phase One of the*
6 *Streetlight Upgrade Project for an approximate cost of \$26,410. Dr. Heilman seconded*
7 *the motion.* Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr.
8 Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

9
10 **State Highway Administration's Wisconsin Avenue Sidewalk Project**

11 Mr. Younes presented an oral report on the State Highway Administration's Wisconsin Avenue
12 Sidewalk Project to install a sidewalk between Grafton Street and Bradley Lane along the east
13 side of Wisconsin Avenue, which is slated to begin later this calendar year. No action was taken
14 by the Board.

15
16 **Records Retention Schedule**

17 The staff's draft revised Records Retention Schedule was circulated prior to the meeting. Ms.
18 Baptiste requested the following amendment:

- 19
20
 - Page 1, Item No. 100: insert "Commissions" to the description series.

21
22 *The Board unanimously approved the Chevy Chase Village Records Retention Schedule, as*
23 *amended, and directed the Village Manager to submit the schedule to the Maryland State*
24 *Archives for review and approval.*

1 **Status Report and Policy Consideration—Delinquent Collections, *SafeSpeed* Program**

2 Chief Fitzgerald’s report including a policy recommendation was distributed to the Board prior
3 to the meeting. Chief Fitzgerald requested Board authorization to direct the Village’s *SafeSpeed*
4 Program vendor (ACS) to immediately begin processing new citations as soon as they reach
5 delinquent status; that the Village collect on in- and out-of-state delinquencies at the same rate,
6 and that the Village eliminate the backlog of delinquent citations through a bulk mailing of
7 28,300 amnesty notices followed by an administrative waiver of any uncollected delinquencies
8 older than one year.

9
10 *Mr. Crockett moved to approve the recommendations as outlined by Chief Fitzgerald.*

11 *Mr. Winstead seconded the motion.* Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr.

12 Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The
13 motion passed.

14
15 **New Business**

16 **Contract Award Authorization**

17 A report outlining the staff’s contract award recommendation for landscape maintenance services
18 to *Complete Industries Inc./d.b.a. Complete Landscaping Service* was circulated to the Board
19 prior to the meeting.

20
21 *Mr. Kilborn moved to authorize the Village Manager to enter into a contract with*
22 *Complete Industries Inc./d.b.a. Complete Landscaping Service for Village-wide*
23 *landscape maintenance services.* Mr. Crockett seconded the motion. Ms. Baptiste, Mr.

Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Budget Reallocation Request

A report outlining the Village Arborist proposal for the first phase of inventorying trees located in the Village's public rights-of-way and parks was circulated to the Board prior to the meeting.

Mr. Ruda moved to approve the request for budget reallocation in the amount of \$9,000 from "Legal Counsel-General" to "Capital & Special Projects, Projects" for the First Phase of Inventory and GIS Mapping of Trees in the Public Right-of-Way. Dr. Heilman seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Manager's Report

The Manager's Report was circulated prior to the meeting. No action was taken by the Board.

Staff Reports

Building and Tree Removal Permits and Permitting & Code Enforcement Activity Reports

The Building and Tree Removal Permit and Permitting & Code Enforcement Activity Reports were circulated prior to the meeting. No action was taken by the Board.

Capital and Infrastructure Upgrade Projects Report

1 The Capital Infrastructure Upgrade Projects Report was circulated prior to the meeting. No
2 action was taken by the Board.

3
4 **Village Hall Activity Report**

5 The Village Hall Activity Report was circulated prior to the meeting. No action was taken by the
6 Board.

7
8 *Mr. Crockett moved to adjourn the meeting.* Ms. Shuren seconded the motion. Ms. Baptiste,
9 Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor
10 of the motion. The motion passed. The meeting adjourned at 10:23 p.m.

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Secretary, Chevy Chase Village Board of Managers

15 *Draft reviewed by MY, SD-C; 02/23/2012*